

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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CARLOS SALAS,

Plaintiff,

-against-

LEO'S BAGELS HANOVER SQUARE LLC, et al.,

Defendants.

21-CV-1728 (AT) (OTW)

ORDER

ONA T. WANG, United States Magistrate Judge:

Plaintiff brings this action under the Fair Labor Standard Act (“FLSA”) and New York Labor Law (“NYLL”) for Defendants’ failure to pay minimum and overtime wages and failure to provide wage statements and notices. (ECF 34 at 1). Defendants employed Plaintiff at their bagel restaurant, Leo’s Bagels Hanover Square. (ECF 34 at 1). The parties submit their proposed FLSA settlement agreement to the Court for approval under *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199 (2d Cir. 2015). (ECF 31-1). The *Cheeks* motion was then referred to me for a report and recommendation. (ECF 35).

For the Court to properly assess the fairness of this motion, the parties must submit the following supplemental information:

1. An updated signed settlement agreement (ECF 34-1) that:
 - a. is consistent with the amounts stated in the parties' *Cheeks* motion;
 - b. strikes the confidentiality provision; and,

- c. provides an explanation of how funds will be paid to CSM Legal, P.C.¹ or alternatively, an updated settlement agreement that directs payment to CSM Legal, P.C. directly.
2. A copy of the Plaintiff's retainer agreement(s)

SO ORDERED.

Dated: June 1, 2022
New York, New York

s/ Ona T. Wang

Ona T. Wang
United States Magistrate Judge

¹ The proposed Settlement Agreement (ECF 34-1) provides that money be paid to Michael Faillace & Associates, P.C., even though Mr. Faillace is no longer practicing as of November 5, 2021. (ECF 34 at 3).